

IRAQI ELECTIONS

Provisions Set Forth in the Transitional Administrative Law

Transitional Administrative Law

Chapter One, Article 2, Section B(2)

“The second phase [of the transitional period] shall begin after the formation of the Iraqi Transitional Government, which will take place after elections for the National Assembly have been held as stipulated in this Law, provided that, if possible, these elections are not delayed beyond 31 December 2004, and, in any event, beyond 31 January 2005. This second phase shall end upon the formation of an Iraqi government pursuant to a permanent constitution.”

Criteria for Nomination to National Assembly

as set forth in Chapter Four, Article 31 of the Transitional Administrative Law

- He shall be an Iraqi no less than 30 years of age.
- He shall not have been a member of the dissolved Ba’ath Party with the rank of Division Member or higher, unless exempted pursuant to the applicable legal rules.
- If he was once a member of the dissolved Ba’ath Party with the rank of Full Member, he shall be required to sign a document renouncing the Ba’ath Party and disavowing all of his past links with it before becoming eligible to be a candidate, as well as to swear that he no longer has any dealings or connection with the Ba’ath Party organizations. If it is established in court that he lied or fabricated on this score, he shall lose his seat in the National Assembly.
- He shall not have been a member of the former agencies of repression and shall not have contributed to or participated in the persecution of citizens.
- He shall not have enriched himself in an illegitimate manner at the expense of the homeland and public finance.
- He shall not have been convicted of a crime involving moral turpitude and shall have a good reputation.
- He shall have at least a secondary school diploma, or equivalent.
- He shall not be a member of the armed forces at the time of his nomination.

Iraqi Transitional Government Timeline

as set forth in the Transitional Administrative Law

- Elections for the National Assembly shall take place no later than by 31 January 2005.
- The National Assembly shall elect a President of the State and two Deputies. The election of the Presidency Council shall take place on the basis of a single list and by a two-thirds majority of the members’ votes.
- The Presidency Council shall name a Prime Minister unanimously, as well as the members of the Council of Ministers upon the recommendation of the Prime Minister. The Presidency Council must agree on a candidate for the post of Prime Minister within two weeks.
- The Prime Minister and Council of Ministers shall then seek to obtain a vote of confidence by simple majority from the National Assembly prior to commencing their work as a government.
- The National Assembly shall write the draft of the permanent constitution by no later than 15 August 2005.
- The draft constitution shall be presented to the Iraqi people for approval in a general referendum to be held no later than 15 October 2005.
- The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve and if two-thirds of the voters in three or more governorates do not reject it.
- If the constitution is approved, elections for a permanent government shall be held no later than 15 December 2005 and the new government shall assume office no later than 31 December 2005.
- If the constitution is rejected, the National Assembly shall be dissolved and elections for a new National Assembly shall be held no later than 15 December 2005.
- If necessary, the president of the National Assembly, with the agreement of a majority of the members’ votes, may request to extend the deadline for writing the draft constitution for only six months. This request must be made by 1 August 2005, and the deadline may not be extended again.